REMARKS

In reply to the Office Action dated March 16, 2005, claims 6, 7, 57, 59, 60, and 63 are currently under examination in the Application, claims 46, 55, 61 and 62 are withdrawn, and claims 1 and 47-51 are allowed. By the above amendment, claims 46, 57, and 59-63 have been canceled and claims 6 and 7 have been amended solely for clarity. No new matter has been added. The above amendment is not to be construed as acquiescence to the stated grounds for objection/rejection and is made without prejudice to prosecution of any subject matter modified and/or removed by this amendment in a related divisional, continuation and/or continuation-in-part application.

Applicants thank the Examiner for noting that claims 1 and 47-51 are allowed.

Applicants note that the Examiner has declined to rejoin claims 61 and 62.

Rejections under 35 U.S.C. § 112, first paragraph (new matter)

Claims 57, 59, 60, and 63 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly containing subject matter which is not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the Applicants, at the time the application was filed, had possession of the claimed invention. In particular, the Action contends that there is no support in the specification as filed for the peptide recited in claim 57 and, as such, the Action concludes that the claimed invention constitutes new matter.

Without acquiescing to the rejection and solely to expedite prosecution, claims 57, 59, 60 and 63 have been canceled. Applicants reserve the right to prosecute any subject matter modified and/or removed by this amendment in a related divisional, continuation and/or continuation-in-part application. Accordingly, Applicants submit that the rejection has been obviated and may be properly withdrawn.

Rejections under 35 U.S.C. § 112, second paragraph (indefiniteness)

Claims 6 and 7 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In particular, the Action alleges that claims 6

and 7 lack antecedent basis in claim 1 in that claim 1 does not encompass fragments of the peptide of SEQ ID NO:144 whilst claims 6 and 7 encompass fragments of the peptide.

Without acquiescing to the rejection, Applicants have amended claims 6 and 7 to independent format solely for the purposes of clarity. Accordingly, Applicants submit that the rejection has been obviated and may be properly withdrawn.

Rejections under 35 U.S.C. § 103(a)

Claims 57, 59, 60 and 63 stand rejected as allegedly obvious under 35 U.S.C. § 103 over Herlyn *et al.* (WO 95/29995), in view of Jager *et al.* (U.S. Patent No. 6,096,313). Specifically, the Action alleges that Herlyn *et al.* teach a peptide comprising SEQ ID NO:144 in that SEQ ID NO:144 is found in amino acids 1-181 of human WT1 described by the authors. The Action further contends that Herlyn *et al.* teach that the polypeptide is immunogenic (*e.g.*, induces antibodies) and that it consists of no more than amino acids 1-249 of WT1. The Action concedes that Herlyn *et al.*, do not teach the use of GM-CSF but asserts that this deficiency is overcome by combination with the teachings of Jager *et al.*

Applicants traverse the rejection for reasons already of record. Without acquiescing to the rejection and solely to expedite prosecution, Applicants have canceled claims 57, 59, 60 and 63. Applicants reserve the right to prosecute any subject matter modified and/or removed by this amendment in a related divisional, continuation and/or continuation-in-part application. Accordingly, Applicants submit that the rejection has been obviated and may be properly withdrawn.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Applicants respectfully submit that all of the claims remaining in the application are now believed to be allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

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